

AMENDED IN SENATE APRIL 22, 2013

AMENDED IN SENATE APRIL 2, 2013

SENATE BILL

No. 319

Introduced by Senator Price

February 19, 2013

An act to amend Sections 4519.5 and 4629.5 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 319, as amended, Price. Developmental services: regional centers: data compilation.

Under the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is required to contract with regional centers to provide services and supports to individuals with developmental disabilities. Existing law requires the department and regional centers to annually collaborate to compile specified data relating to purchase of service authorization, utilization, and expenditure by each regional center. Existing law requires the department to establish and maintain a transparency portal on its Internet Web site that allows consumers, families, advocates, and others to access provider and regional center information and requires posted information on this portal to include certain audits, reviews, and reports.

This bill would require the department to ensure that the regional centers collect, analyze, and report ~~disability detail~~ *the specified data* using uniform methodology and procedures that allow for comparisons across regional centers. The bill would require each regional center, commencing December 31, 2014, and each December 31 thereafter, to develop and post on its Internet Web site an annual report relating to whether the data indicates specified disparities and, if applicable, the

regional center's recommendations and plans to reduce those disparities. This bill would require the department's transparency portal to include the regional centers' annual reports developed and posted by the regional centers pursuant to these provisions.

This bill would state that it is the intent of the Legislature to enact legislation to require the department to provide biannual updates regarding the department's progress in meeting the data compilation requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to enact
2 legislation to require the State Department of Developmental
3 Services to provide biannual updates regarding the department's
4 progress in meeting the requirements of Section 4519.5 of the
5 Welfare and Institutions Code, which requires the department and
6 regional centers to annually collaborate to compile specified data
7 relating to purchase and service authorization, utilization, and
8 expenditure by each regional center.

9 SEC. 2. Section 4519.5 of the Welfare and Institutions Code
10 is amended to read:

11 4519.5. (a) The department and the regional centers shall
12 annually collaborate to compile data relating to purchase of service
13 authorization, utilization, and expenditure by each regional center
14 with respect to all of the following:

15 (1) The age of consumer, categorized by the following:

16 (A) Birth to ~~age~~ two years of age, inclusive.

17 (B) Three to 21 years of age, inclusive.

18 (C) Twenty-two years of age and older.

19 (2) Race or ethnicity of the consumer.

20 (3) Primary language spoken by the consumer, and other related
21 details, as feasible.

22 (4) Disability detail, in accordance with the categories
23 established by subdivision (a) of Section 4512, and, if applicable,
24 a category specifying that the disability is unknown. ~~The~~
25 ~~department shall ensure that the regional centers collect, analyze,~~
26 ~~and report this data using uniform methodology and procedures~~
27 ~~that allow for comparisons across regional centers.~~

(b) *The department shall ensure that the regional centers collect, analyze, and report the data described in subdivision (a) using uniform methodology and procedures that allow for comparisons across regional centers.*

~~(b)~~

(c) The data reported pursuant to subdivision (a) shall also include the number and percentage of individuals, categorized by age, race or ethnicity, and disability, who have been determined to be eligible for regional center services but are not receiving purchase of service funds.

~~(e)~~

(d) (1) By March 31, 2013, each regional center shall post the data described in this section that is specific to the regional center on its Internet Web site. Commencing on December 31, 2013, each regional center shall annually post this data by December 31.

(2) By December 31, 2014, and each December 31 thereafter, each regional center shall develop and post on its Internet Web site an annual report on whether the data described in this section indicates a need to reduce disparities among consumers in the purchase of services within the regional center's catchment area or between consumers of the regional center and consumers of other regional centers, and if so, the regional center's recommendations and plans to reduce the disparities.

~~(d)~~

(e) By March 31, 2013, the department shall post the information described in this section on a statewide basis on its Internet Web site. Commencing December 31, 2013, the department shall annually post this information by December 31.

~~(e)~~

(f) Within three months of compiling the data with the department, and annually thereafter, each regional center shall meet with stakeholders in a public meeting regarding the data.

SEC. 3. Section 4629.5 of the Welfare and Institutions Code is amended to read:

4629.5. (a) In addition to the requirements set forth in Section 4629, the department's contract with a regional center shall require the regional center to adopt, maintain, and post on its Internet Web site a board-approved policy regarding transparency and access to public information. The transparency and public information policy shall provide for timely public access to information, including,

1 but not limited to, information regarding requests for proposals
2 and contract awards, service provider rates, documentation related
3 to establishment of negotiated rates, audits, and IRS Form 990.
4 The transparency and public information policy shall be in
5 compliance with applicable law relating to the confidentiality of
6 consumer service information and records, including, but not
7 limited to, Section 4514.

8 (b) To promote transparency, each regional center shall include
9 on its Internet Web site, as expeditiously as possible, at least all
10 of the following:

- 11 (1) Regional center annual independent audits.
- 12 (2) Biannual fiscal audits conducted by the department.
- 13 (3) Regional center annual reports pursuant to Section 4639.5.
- 14 (4) Contract awards, including the organization or entity
15 awarded the contract, and the amount and purpose of the award.
- 16 (5) Purchase of service policies.
- 17 (6) The names, types of service, and contact information of all
18 vendors, except consumers or family members of consumers.
- 19 (7) Board meeting agendas and approved minutes of open
20 meetings of the board and all committees of the board.
- 21 (8) Bylaws of the regional center governing board.
- 22 (9) The annual performance contract and yearend performance
23 contract entered into with the department pursuant to this division.
- 24 (10) The biannual Home and Community-based Services Waiver
25 program review conducted by the department and the State
26 Department of Health Care Services.
- 27 (11) The board-approved transparency and public information
28 policy.
- 29 (12) The board-approved conflict-of-interest policy.
- 30 (13) Reports required pursuant to Section 4639.5.

31 (c) The department shall establish and maintain a transparency
32 portal on its Internet Web site that allows consumers, families,
33 advocates, and others to access provider and regional center
34 information. Posted information on the department's Internet Web
35 site transparency portal shall include, but need not be limited to,
36 all of the following:

- 37 (1) A link to each regional center's Internet Web site information
38 referenced in subdivision (b).
- 39 (2) Biannual fiscal audits conducted by the department.
- 40 (3) Vendor audits.

- 1 (4) Biannual Home and Community-based Services Waiver
- 2 program reviews conducted by the department and the State
- 3 Department of Health Care Services.
- 4 (5) Biannual targeted case management program and federal
- 5 nursing home reform program reviews conducted by the
- 6 department.
- 7 (6) Early Start Program reviews conducted by the department.
- 8 (7) Annual performance contract and yearend performance
- 9 contract reports.
- 10 (8) Annual reports developed and posted by regional centers
- 11 pursuant to Section 4519.5.

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